

Hearing Date: April 19, 2023 at 10:00am
Objection Deadline: February 13, 2023

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Attorneys for Defendants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (CGM)

Plaintiff-Applicant,

v.

SIPA Liquidation

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 12-01690 (CGM)

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

EFG BANK S.A., f/k/a EFG Private Bank S.A.,
EFG BANK (MONACO) S.A.M., f/k/a EFG
Eurofinancière d'Investissements S.A.M., and
EFG BANK & TRUST (BAHAMAS)
LIMITED, as successor-in interest to Banco
Atlántico (Bahamas) Bank & Trust Limited,

Defendants.

**NOTICE OF HEARING ON
MOTION TO DISMISS PLAINTIFF'S AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, on December 13, 2022, Defendants EFG Bank S.A. (a/k/a EFG Bank AG) ("EFG Bank"), EFG Bank (Monaco) S.A.M. ("EFG Monaco"), and EFG Bank & Trust (Bahamas) Limited ("EFG Bahamas," and collectively, the "EFG Defendants,") filed their Motion to Dismiss Plaintiff's Amended Complaint (the "Motion") and supporting papers, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure, in the above-captioned action.¹

PLEASE TAKE FURTHER NOTICE that a hearing to consider the Motion will be held on **April 19, 2023 at 10:00 a.m.** (prevailing Eastern time), or as soon thereafter as counsel may be heard, before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York (the "Hearing").

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to the Court's guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. Further instructions regarding remote appearances via ZoomGov can be found on the Court's website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered on October 3, 2022, oppositions to the Motion, if any, shall be filed by **February 13, 2023**, and any reply in further support of the Motion shall be filed by **March 15, 2023**.

¹ As stated in the Motion, the EFG Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: December 13, 2022
New York, New York

Respectfully Submitted,

/s/ Adam M. Lavine

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